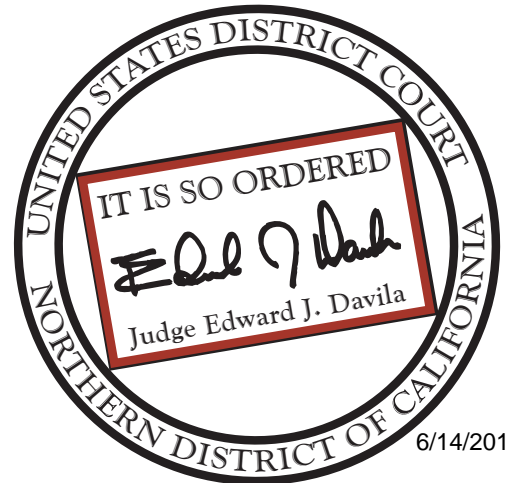


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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11
12 DONALD CULLEN, on behalf of himself
13 and all others similarly situated,

14 Plaintiff,

15 v.

16 NETFLIX, INC.,

17 Defendant.

Case No. 5:11-cv-01199 EJD

**STIPULATION REGARDING
BRIEFING SCHEDULE FOR
MOTION TO DISMISS FIRST
AMENDED COMPLAINT**

Hon. Edward J. Davila

Complaint Filed: April 9, 2011

1 Pursuant to Civil Local Rule 6-1, plaintiff Donald Cullen (“Plaintiff”) and
2 defendant Netflix, Inc. (“Netflix”), through their undersigned counsel, hereby
3 stipulate as follows:

4 WHEREAS, Plaintiff filed the First Amended Complaint on April 9, 2011;

5 WHEREAS, General Order 56 automatically stayed all proceedings and
6 dates in this matter, including Defendant’s deadline to respond to the First
7 Amended Complaint;

8 WHEREAS, the Court lifted General Order 56’s automatic stay on May 24,
9 2011;

10 WHEREAS, pursuant to Federal Rule of Civil Procedure 12, Defendant’s
11 deadline to respond to the First Amended Complaint was set for June 14, 2011;

12 WHEREAS, Defendant intends to file as its response a motion to dismiss the
13 First Amended Complaint;

14 WHEREAS, the parties have agreed to the following briefing schedule for
15 Defendant’s anticipated motion to dismiss the First Amended Complaint, which
16 schedule does not alter the date of any event or any deadline already fixed by Court
17 Order (pursuant to Civil Local Rule 6-1(a));

18 NOW, THEREFORE, IT IS HEREBY STIPULATED:

19 1. Defendant’s time to serve and file its motion to dismiss the First
20 Amended Complaint shall be extended to and including June 28, 2011;

21 2. Plaintiff shall have to and including July 26, 2011, to serve and file
22 any opposition to Defendant’s motion to dismiss.

23 3. Defendant shall have to and including August 9, 2011, to serve and file
24 a reply to Plaintiff’s opposition;

25 ///

